UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,014	07/11/2005	Toshihiko Munetsugu	2005_1008A	8917

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EXAMINER
ELCENKO, ERIC J

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/542,014	MUNETSUGU ET AL.
	Examiner	Art Unit
	ERIC ELCENKO	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 December 2007</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15,17 and 18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15 and 17-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

10542014DETAILED ACTION

Response to Arguments

1.   Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4, 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Tatchell et al. (U.S. Pat. No. 6,160,877) in view of Hannel et al. (U.S. Pub. No.

2008/0028436)

3.   In regard to Claims 1 and 15, Tatchell disclose a communication system

including a first communication terminal *(subscriber terminal),* a second communication

terminal *(calling party),* and a communication control server *(Personal Agent),* the

communication control server notifying destination information for specifying an address

of the first communication terminal on a network in response to a request *(the Personal*

Agent intercepts the incoming call from the calling party and routes the call according to

the options set by the subscriber terminal regarding incoming calls, Col 9, Ln 29-65))

the first communication terminal requesting the communication control server to register

one or more communication terminals that are permitted to connect to the first

communication terminal as connection-permitted communication terminals *(the*

Personal Agent makes use of a contact database having the telephone numbers and

prerecorded names of contacts, such that incoming call screening based on calling line

identification, Col 4, Ln 6-13), and the second communication terminal transmitting a

request message to the communication control server to request the destination

information from the communication control server if the second communication

terminal is permitted to connect to the first communication terminal *(the second terminal*

tries to initiate contact by calling the first terminal, at which time the Personal agent

consults the contact database on whether or not to connect the call to the first

communication terminal, the subscriber terminal, Col 9, Ln 29-65)

the communication control server comprising:

a permitted table storage unit operable to store a permitted terminal table that

shows for each communication terminal, a correlation between the corresponding

communication terminal and one or more connection permitted communication

terminals and that includes at leas the information registered by the corresponding

communication terminal (*the Personal Agent makes use of a contact database having*

the telephone numbers and prerecorded names of contacts, such that incoming call

screening based on calling line identification, Col 4, Ln 6-13)

a request message reception unit operable to received the request message

(Personal Agent)

a terminal determination unit operable to determine, based on the permitted

terminal table, whether or not the second communication terminal, which transmitted the

received request message, is a connection permitted communication terminal of the first

communication terminal *(the Personal Agent uses call screening options as provided by*

the subscriber to connect or redirect calls based upon their CLID as stored in the

contact database, Col 9, Ln 29-65)

a notification control unit operable to notify the second communication terminal of

the destination information of the first communication terminal, only when the second

communication terminal had been determined to be a connection permitted

communication terminal of the first communication terminal.*(the Personal Agent will*

connect the second communication terminal if it is deemed to be allowed to connection

to the subscriber terminal)

Tatchell does not teach the terminal having a changeable address or the request

including identification information.

Hannel teaches a policy server which controls access of users. Hannel goes on

to disclose changeable addresses which are not reliable for verification of a user.

Identification information can be authenticated even when the user has a change of

address. (*The combination is being made upon the idea of a request to access a*

system and a user being allowed or authorized to gain access. IP addresses can be

dynamic in nature changing from usage time to usage time. Identification information is

static of a user and can be used each time to verify a user is authorized. Tatchell and

Hannel are both methods of authorizing users in a communication system)

It would have been obvious to one of ordinary skill in the art to modify Tatchell to include the teaching of Hannel in order to provide a more secure and reliable way to authenticate/authorize a user to be granted access other than a simple address.

In regard to Claim 4, Tatchell discloses the Personal Agent uses the preset rules as defined by the subscriber as to whether or not the first communication terminal is able to accept the connection form the second communication terminal, as it depends on the settings in effect when the second communication terminal is attempting to connect to the first. (Col 9, Ln 6-20)

In regard to Claim 5, when the call screening feature is active, screening can be set for all calls or a subset of calls to only allow the specified callers to connect to the subscriber terminal and if not allowed the Personal Agent will attempt to identify by name and number the calling party attempting to connect to the subscriber terminal

4.   Claims 2,3,6-9, 11-14 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al.. (U.S. Pat. No. 6,160,877) in view of Hannel et al. (U.S. Pub. No. 2008/0028436) in further view of Numminen et al. (U.S. Pub. No. 2003/0125024)

In regard to Claim 2, Tatchell does not disclose authentication information creation for use in authenticating the second terminal after it has been deemed a connection permitted terminal by the control server.

Numminen discloses an ILR contains a list of all a company's members IMSIs, or has other identifier information such as phone numbers that allow members belonging

to the company network to be identified. This identifier is preferably the same as is used in a LU request message to allow matching to be done easy.

It would have been obvious to one of ordinary skill in the art to modify Tatchell to include the teachings of Numminen in order to provide more security to the subscriber terminal by only allowing those terminals with authentication information to connect to reduce the risk of un-acceptable user being granted access to the system.

In regard to Claims 6, 15 and 17-18, Tatchell disclose a communication system including a first communication terminal *(subscriber terminal)*, a second communication terminal *(calling party)*, and a communication control server *(Personal Agent)*, the communication control server notifying destination information for specifying an address of the first communication terminal on a network in response to a request *(the Personal Agent intercepts the incoming call from the calling party and routes the call according to the options set by the subscriber terminal regarding incoming calls, Col 9, Ln 29-65))* the first communication terminal requesting the communication control server to register one or more communication terminals that are permitted to connect to the first communication terminal as connection-permitted communication terminals *(the Personal Agent makes use of a contact database having the telephone numbers and prerecorded names of contacts, such that incoming call screening based on calling line identification, Col 4, Ln 6-13),* and the second communication terminal transmitting a request message to the communication control server to request the destination information from the communication control server if the second communication terminal is permitted to connect to the first communication terminal *(the second terminal*

tries to initiate contact by calling the first terminal, at which time the Personal agent

consults the contact database on whether or not to connect the call to the first

communication terminal, the subscriber terminal, Col 9, Ln 29-65)

the communication control server comprising:

a permitted table storage unit operable to store a permitted terminal table that

shows for each communication terminal, a correlation between the corresponding

communication terminal and one or more connection permitted communication

terminals and that includes at leas the information registered by the corresponding

communication terminal (*the Personal Agent makes use of a contact database having*

the telephone numbers and prerecorded names of contacts, such that incoming call

screening based on calling line identification, Col 4, Ln 6-13)

a request message reception unit operable to received the request message

(Personal Agent)

a determination unit operable to determine, whether or not the authentication

information and the identification information match *(the Personal Agent uses call*

screening options as provided by the subscriber to connect or redirect calls based upon

their CLID as stored in the contact database, Col 9, Ln 29-65)

a connection control unit operable to permit a connection based on the

connection acceptance request from the second terminal.(*the Personal Agent will*

connect the second communication terminal if it is deemed to be allowed to connection

to the subscriber terminal)

Tatchell does not teach the terminal having a changeable address or the request including identification information.

Hannel teaches a policy server which controls access of users. Hannel goes on to disclose changeable addresses which are not reliable for verification of a user. Identification information can be authenticated even when the user has a change of address. (*The combination is being made upon the idea of a request to access a system and a user being allowed or authorized to gain access. IP addresses can be dynamic in nature changing from usage time to usage time. Identification information is static of a user and can be used each time to verify a user is authorized. Tatchell and Hannel are both methods of authorizing users in a communication system*)

It would have been obvious to one of ordinary skill in the art to modify Tatchell to include the teaching of Hannel in order to provide a more secure and reliable way to authenticate/authorize a user to be granted access other than a simple address.

The combination does not disclose authentication information creation for use in authenticating the second terminal after it has been deemed a connection permitted terminal by the control server.

Numminen discloses an ILR contains a list of all a company's members IMSIs, or has other identifier information such as phone numbers that allow members belonging to the company network to be identified. This identifier is preferably the same as is used in a LU request message to allow matching to be done easy.

It would have been obvious to one of ordinary skill in the art to modify the

combination to include the teachings of Numminen in order to provide more security to

the subscriber terminal by only allowing those terminals with authentication information

to connect to reduce the risk of un-acceptable user being granted access to the system.

In regard to Claim 7, Tatchell discloses the Personal Agent uses the preset rules

as defined by the subscriber as to whether or not the first communication terminal is

able to accept the connection form the second communication terminal, as it depends

on the settings in effect when the second communication terminal is attempting to

connect to the first. (Col 9, Ln 6-20)

5.   Claims 3, 8,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tatchell et al.. (U.S. Pat. No. 6,160,877) in view of Hannel et al. (U.S. Pub. No.

2008/0028436) in further view of Numminen et al. (U.S. Pub. No. 2003/0125024) in

further view of Matsubara (U.S. Pub. No. 2003/0225796)

In regard to Claim 3, the encryption unit, Matsubara discloses the copy operation

may include an encryption step.

It would have been obvious to one of ordinary skill in the art to modify the

combination to include the teachings of Matsubara in order to provide more security

features and keep the subscriber terminal secure.

In regard to Claim 8, along with the limitations of Claim 7, Matsubara discloses

the NRB software can initiate a log in procedure to announce the availability of the client

system to the RNS server 102 for the purpose of peer-to-peer file sharing. When a user

is "announced" to the RNS server, the server will update the cached user list 306 of

each file in the file table that is stored in that user's system, including distribution files

and cached files. (Para 45) (The cached requests are interpreted as the queries as to

whether or not a connection can be made. When the user is available an

"announcement" is made as answer to the query. The transfer request message being

the request for files in the terminals cache that are sent to the communicating terminal

once the second terminal is available again.)

In regard to Claim 9, Matsubara discloses the NRB software can initiate a log in

procedure to announce the availability of the client system to the RNS server 102 for the

purpose of peer-to-peer file sharing. When a user is "announced" to the RNS server, the

server will update the cached user list 306 of each file in the file table that is cached

requests are interpreted as the queries as to whether or not a connection can be made.

When the user is available an "announcement" is made as answer to the query. The

transfer request message being the request for files in the terminals cache that are sent

to the communicating terminal once the second terminal is available again.) In a P2P

file sharing system, a user installs client software (browser) on her local computer

system; e.g., a personal computer. In use, the user specifies files to be registered on a

management server using the browser. The browser reads the file properties of the

specified files and registers the file properties to the management server. The browser

also sends file location information (e.g., IP address of the local computer, the directory

in which the file is located, etc.) to the server. After file properties are registered with the

management server, a user can send a request (by using the browser) to the

management server to search the file properties using keywords provided by the user.

The management server sends lists of file properties that match the keyword as search

results. The user selects from the list those files it wants to download. The browser then

sends a request for file location information to the management server, and the

management server returns file location information to the user. The browser uses the

file location information to connect to the computer system(s) that contain the files, and

downloads the files directly from those computer systems. (Para 6, 7) (The

management maintains the location of files stored on each of the plurality of computers

on the P2P file sharing system. In order to acquire a file, a request is made to .the

management server to obtain the location information of the desired files. The

management sever is read upon as be a request reception unit as it receives the file

request from the user terminals.) Matsubara also discloses in regard to the data

attribute determination unit, in a step 814, the server will create an entry for each local

file specified by the user, and fill the entry with the user-provided file properties. Then, in

a step 816, the server will add the file entries to the directory entry in the directory table

of the selected directory, thus creating a file link to the user's selected local files. (Para

69)

In regard to Claim 11, along with rejection of limitation of Claim 9, Matsubara

discloses the server creating an entry for each local file specified by the user and the

server includes an encryption step which one of ordinary skill in the art can see as being

"secret" or more important files than the non-encrypted files being transferred.

In regard to Claims 12-14, it is obvious to one of ordinary skill in the art that connection to terminals can be made in a variety of ways including IP addresses and those with a port number, and in the dynamic addressing scheme of IP, these address will change frequently with the mobile environment.

6.   Claim10 rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al.. (U.S. Pat. No. 6,160,877) in view of Hannel et al. (U.S. Pub. No. 2008/0028436) in further view of Numminen et al. (U.S. Pub. No. 2003/0125024) in further view of Ando et al. (U.S. Pub. No. 2006/0047624)

The combination does not disclose the extraction of an I picture from video data.

Ando discloses the "stream data content analysis module" is comprised of multiplexed information demultiplexer 425, STB controller 404 and the like. This "stream data content analysis module" analyzes the contents of the received stream data, and extracts I-, B-, and P- picture positions and/or PTS values.

It would have been obvious to one of ordinary skill in the art to modify the combination to include the extraction of data, specifically an I picture, to give more versatility to the system and allow for specific operation to be carried out over the established link.

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to ERIC ELCENKO whose telephone number is (571)272-
8066. The examiner can normally be reached on M-F   7:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
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ee

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2617